

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION

ROY LEE MATTHEWS,)	
)	
Petitioner,)	
)	
v.)	Case No. 7-07-cv-2228-RBP-TMP
)	
DAVID ABSTON, Sheriff; DEBRA)	
ABSTON; and the ATTORNEY GENERAL)	
OF THE STATE OF ALABAMA)	
)	
Respondents.)	


O R D E R

On February 24, 2009, the magistrate judge filed his report and recommendation in the above-styled cause, recommending that this petition for *habeas corpus* relief filed pursuant to 28 U.S.C. § 2254 be dismissed with prejudice. No objections have been filed.¹

Having now carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the report is due to be and hereby is ADOPTED, and the recommendation is ACCEPTED. Consequently, the petition for writ of *habeas corpus* filed pursuant to 28 U.S.C. § 2254 in the above-styled cause is due to be and the same is hereby DISMISSED WITH PREJUDICE as petitioner's claims concerning his October 17, 2005, and March 26, 2007, contempt convictions and sentences are procedurally barred.

¹ On March 5, 2009, the petitioner's copy of the report and recommendation was returned to the court by the postal service, marked "Undeliverable. No Longer At This Address."

DONE and ORDERED this the 23rd day of March, 2009.

A handwritten signature in black ink, reading "Robert B. Propst". The signature is written in a cursive style with a large, looped initial "R".

ROBERT B. PROPST
SENIOR UNITED STATES DISTRICT JUDGE